

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE
RIDEL ALEGRE FERNANDEZ ROSADO
Debtor

BANKRUPTCY 07-05871 ESL
CHAPTER 7

MOTION TO STRIKE CORREDERA'S EXHIBIT

TO THE HONORABLE COURT:

COMES NOW debtor through his legal representation who respectfully prays:

1. On June 3, 2010 Movant Celedonio Corredera, through Plaintiff's Attorney, filed Preliminary Findings of Fact and Conclusions of Law. (D.E. #102).
2. Plaintiffs attached an Exhibit to Docket Entry 102, which is described as a Exhibit Check No. 481.
3. The aforementioned Movant's exhibit is an image of the front-side of a purported check that includes Debtor's financial account number, address and signature none of which has not been redacted.
4. Bankruptcy Rule 9037 states that, "in an electronic or paper filing made with the court that contains an individual's ... financial account number, a party or non-party may include only: (4) the last four digits of the financial account number."
5. Movant Corredera's filing of Debtor's full financial account number violates the Court's redaction rules and constitutes a gross violation of Debtor's privacy rights.
6. In accordance with 11 U.S.C. § 105(a), [t]he court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title. Moreover, pursuant to 11 U.S.C. § 107(c), [t]he bankruptcy court for cause, may protect an individual, with respect to the following types of information to the extent the court finds that disclosure of such information would create an undue risk of identity theft or other unlawful injury to the individuals or the individual's property: (A) Any means of identification... contained in a paper filed, in a case under this title..."

WHEREFORE, the Debtor respectfully requests this Honorable Court to GRANT Debtor's Motion to Strike Movant's Exhibit (Docket Entry 102), from the record and grant such other relief to the Debtor as the Court sees fit, including but not limited to civil damages and attorneys fees.

I HEREBY CERTIFY that on this same date I electronically filed the foregoing with the Clerk of the Court using the CM/ECF Filing System which will send a notification, upon information and belief, of such filing to the Chapter 7 Trustee and to all subscribed users. We will serve by regular mail this document to any creditor as per master address list upon knowing that they are non CM/ECF participants.

RESPECTFULLY SUBMITTED,

In Caguas, Puerto Rico, this 4th day of June, 2010

/s/ LA Morales Vidal
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